

# CONSUMER CONNECTION

CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS

www.dca.ca.gov



highlights

- Consumer issues affect students of all ages
- State targets high-polluting vehicles to help Californians breathe easier
- Bureau of Auto Repair helps put brakes on street racings



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FALL | WINTER 2005

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## Welcome from the Director

Welcome to the first issue of the California Department of Consumer Affairs (DCA) *Consumer Connection.* 

DCA is one of the leading consumer protection agencies in the world. This online magazine is one of the ways we can communicate the important work we do, as well as pass on useful information to the consumers of California.

Through various efforts, DCA provides consumer protection information to groups such as the general public, consumer groups, community-based organizations, government agencies, district attorneys, legislators, the media, and other interested parties throughout California.

The Consumer Connection magazine continues these outreach efforts. Each issue will contain articles addressing consumer concerns and useful suggestions on how consumers can protect themselves from fraud and scams. The articles will be presented in an informative, concise manner, with the mission of helping consumers help themselves.

As well as reporting on emerging consumer issues, the magazine will include information on DCA's various bureaus, divisions, boards, committees and commission. It will also introduce you to the people at DCA who work diligently to assist Californians resolve complaints against licensees and answer a myriad of questions about the marketplace.

We take pride in providing Californians with the means and information to be proactive, informed consumers. This online magazine is an additional educational resource DCA can now provide to California consumers to help them avoid fraud, unfair business practices, and other bumps along the road to empowerment.

Sincerely,

CHARLENE ZETTEL, DIRECTOR Department of Consumer Affairs

Charlen Zettel



Welcome to the Department of Consumer Affairs (DCA), where both consumers and businesses are protected by professional licenses issued by the State of California.

Our vision is for California consumers and businesses to have a safe, fair, and competitive marketplace. When DCA establishes legal and ethical professional standards for our licensees and enforces consumer protection laws, we know that both consumers and businesses will benefit.

Professional licenses are required for a vast array of professionals and businesses, including doctors, nurses, barbers, contractors, funeral directors, security guards, pharmacies, auto-repair stations, and nail salons.

Licenses for professionals and services are designed to be a safeguard against unscrupulous business practices. Licensing benefits both consumers paying for services, and businesses and professionals who are concerned about the honesty and quality of their chosen profession.

DCA's licensing procedures include verification that educational and field experience requirements are met and the screening of applicants for criminal or civil convictions is conducted. We make sure licensees have the required education and/or experience to pass the exams, maintain their licenses to practice their profession, and meet all continuing education requirements.

DCA plays a vital role in overseeing consumer and business protection by licensing and regulating 2.3 million professionals in more than 230 different professions. We serve as the umbrella agency for more than 40 regulatory bodies, including bureaus, divisions, boards, committees and a commission. (For a complete list, visit www.dca.ca.gov/r\_r/r\_rdca.htm.)

In addition, DCA investigates complaints against licensees, and, in concert with the Office of the Attorney General, issues disciplinary actions against violators of professional standards. Disciplinary actions can result in a license being placed on restriction or probation, suspension, or even taken away.

DCA offers license assistance for both consumers and licensees. You can look up a company or individual who has a license issued by DCA on our License Lookup Web page http://www2.dca.ca.gov/pls/wllpub/wllquery\$. startup. For licensees, information on licenses can be found at www.dca.ca.gov/aboutdca/aboutwho. htm#WHOA.



Making the Grade in

# 'CONSUMER 101'

# Tips for Young Consumers and Parents

Students have thousands of choices when it comes to which career path they'll take. But no matter where they're headed, all students can benefit from learning how to be a smart consumer in the modern global marketplace.

"Today's children are venturing out into a marketplace that holds many opportunities, but also potential challenges," says Charlene Zettel, Director of the California Department of Consumer Affairs (DCA). "The Department offers a variety of resources that can help students and parents navigate this marketplace and avoid consumer scams."

"Many kids are tech-savvy, but they may not know the importance of safeguarding personal information,"

CHARLENE ZETTEL, DIRECTOR, DCA



Back to School Consumer Tips



Making the Grade in 'Consumer 101' (continued)

DCA offers a variety of helpful resources for students of all ages in "Back to School Consumer Tips," available on our Web site at www.dca.ca.gov/ced/back2school/index.html.

## Following are a few examples:

>> For many kids, back to school also means back to the Internet. How do parents keep Web-surfing youngsters from getting ripped off or becoming victims of identity theft?

One resource for parents is DCA's California Office of Privacy Protection (www.privacy.ca.gov), which offers helpful tips, including a fact sheet titled "Protecting Your Child's Privacy Online."

"Many kids are tech-savvy, but they may not know the importance of safeguarding personal information," said Zettel. "State and federal laws require Web sites that collect personal information from kids to post privacy policies and get parental permission."

For older students, the last thing college students need is to have an "identity crisis" by becoming a victim of identity theft, the nation's top consumer crime. They can take simple steps to avoid this fraud, inside their dorm rooms or online, with information found on the California Office of Privacy Protection's Web site.

- >> Older students can also use the information found on the "Back to School Consumer Tips" Web site for a variety of consumer situations. The information is helpful, especially for students experiencing new situations such as purchasing big-ticket items like furniture; being bombarded with credit card offers; renting an apartment; or having their computers, electronics or appliances repaired.
- >> Adult students who are interested in attending a vocational or private postsecondary school should do their homework first. Potential students can learn how to make a wise choice by studying "Student Tips" and "The ABCs of Choosing a Postsecondary School" available from the Department's Bureau for Private Postsecondary and Vocational Education. You can find out about private postsecondary education and if a school is approved to operate in California by visiting the Bureau's Web site at www.bppve.ca.gov or by calling (916) 445-3427.



# DCA Personal Profile:

# KATHRYN L. DOOR

The Department of Consumer Affairs (DCA) is pleased to introduce you to Kathryn L. Door, Chief of DCA's Division of Investigation (DOI).

DOI's main focus is to protect the public's health, safety, and welfare by providing timely, objective, and cost effective investigations into allegations of misconduct by licensees of DCA's various agencies. DOI also develops information and evidence for filing criminal, administrative, and civil actions by or on behalf of these agencies. Each DOI investigator carries a diverse caseload ranging between 30 and 40 cases.

After going through an intense, competitive hiring process, Door was appointed the first female Chief of DOI in March 2005.

She meets frequently with many of the Board Executive Officers, Bureau Chiefs, and Enforcement Coordinators at the DCA Headquarters building at 400 R Street. This interaction enhances the working relationships between her Division and the various entities she and her investigators work with during investigations. She also works closely with DCA's Executive Office, the Legal Affairs Division, and the Administrative Services Division.

Currently, the predominant requests for investigation to the Division are in the health care field. According to Door, the Division's most frequent clients are the Board of Registered Nursing, the Board of Vocational Nursing and Psychiatric Technicians, and the Physical Therapy

Board. The Division prioritizes investigations in which consumer health and safety concerns are alleged. In addition to vigorously pursuing unlicensed activity in the health care field, DOI plans to increase investigations of unlicensed activity within other entities under DCA's jurisdiction such as the Barbering and Cosmetology Board, Structural Pest Control Board, and Board for Professional Engineers and Land Surveyors.

Door's interest in law enforcement began when she heard a police officer talk about the opportunities for women in law enforcement at her high school career day. Her interest was sparked again when she was held up in a store robbery while attending college in Las Vegas. Changing her college major to Criminal Justice, Door returned to California where she worked full-time in a bank while serving as a Stockton Police Department Reserve Police Officer on the weekends. After completing her Penal Code Section 832 training as well her degree in paralegal studies, Door was officially sworn in as a Police Officer at the age of 23.

Five years later, Door was hired as a Special Investigator for the Department of Insurance's Fraud Division. She was one of eight Special Investigators, and the only woman within the Los Angeles Division. Door subsequently rose through the ranks to become the first female Supervising Fraud Investigator, a Chief Investigator, and, finally, the first female Bureau Chief before becoming DCA's Chief of DOI.



BAR's Consumer Assistance Program (CAP) will pay motorists \$1,000 to retire their polluting vehicle or up to \$500 in smog-related repairs.

"If your vehicle fails its Smog Check, it is not the end of the world, but it's an opportunity to get your high-polluting vehicle off the road for good and to be paid \$1,000 for it," said Consumer Affairs Director Charlene Zettel. "Reducing air pollution is a priority for California - every crushed polluter adds to cleaner air."

The 2005-06 State Budget includes Governor Arnold Schwarzenegger's recommended funding for the CAP program that crushes high-polluting vehicles. The scrapping of these vehicles permanently removes them from roadways and keeps their smog out of California's air. The budget funds CAP with \$16 million to retire vehicles that fail Smog Check inspections and \$15 million for repair assistance.

The Governor kicked off the Breathe Easier public awareness campaign in March 2005. The campaign promotes vehicle retirement and raises awareness about high-polluting vehicles, their contribution to air pollution, and the associated negative health effects, particularly on children.

The Vehicle Retirement Program restarted in September 2004 after a two-year suspension. As of June 30, 2005, BAR has retired nearly 5,000 vehicles. The average



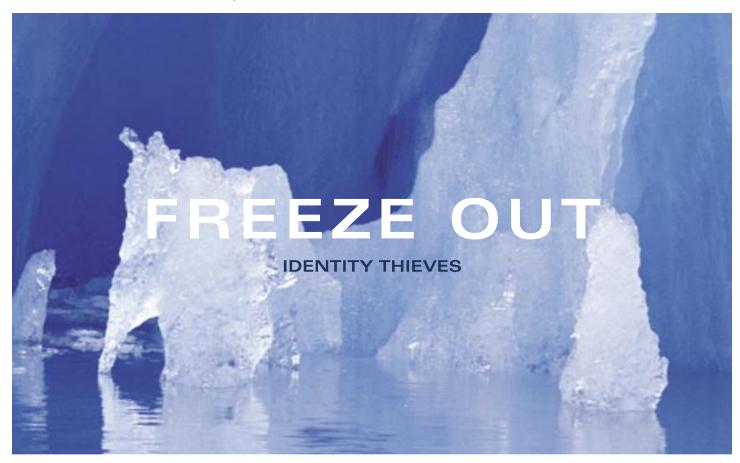


retirement age of high polluting vehicles is 18-20 years old. These older cars can produce up to 30 times more emissions than newer vehicles.

According to the 2001 California Health Interview Survey (CHIS), one out of ten children in the state suffers from respiratory disease. In another study, the California Department of Health Services reported that asthma hospitalizations cost \$480 million in California in 2000. Each year, 15,000 children are hospitalized because of asthma, forcing parents to miss work and children to miss school.

The goal of CAP is to crush 15,000 high polluting vehicles by the end of the 2005-06 fiscal year, which will represent more than 900 tons of reduction in smog-forming pollutants. BAR also plans to continue its Vehicle Retirement Program in future years to help maximize reductions in air pollution. The CAP program is funded by a portion of a \$12 annual fee on new vehicles.

Motorists who have failed their Smog Check inspections can get a CAP application by calling (800) 952-5210 or by going to the Breathe Easier Web site at www. breatheeasier.ca.gov. Information is available in both English and Spanish.



A California law that's now being copied by many other states gives consumers one of the strongest protections against identity theft. The "Security Freeze Law" permits you to "freeze" your credit files, allowing access only with your consent. When your credit files are frozen, even someone who has your name and Social Security number would probably not be able to get credit in your name. This is because most businesses will not open credit accounts without checking a consumer's credit history first.

When you write to the three nationwide credit bureaus — Trans Union, Experian and Equifax — to place a security freeze on your files, you receive a PIN that you can use to temporarily lift the freeze. You can find the address of the credit bureaus on our Web site at www.privacy.ca.gov/sheets/cis10securityfreeze.pdf. You may want to do this

when you buy a car, refinance your house or seek new credit for any purpose. You can lift the freeze for a period of time or just for a specific creditor.

A security freeze is free to an identity theft victim with a police report of identity theft. But you don't have to be a victim to use the freeze to protect yourself. The cost to non-victims is \$10 for each of the three credit bureaus, for a total of \$30. If you're married, you should freeze both spouses' files, bringing the total cost to \$60. If you want to lift the freeze for a period of time, it will cost \$10 for each credit bureau. (You may only need to lift the freeze for the credit bureau that is used by the creditor where you're applying.)

For more information on how a security freeze works, with sample letters to the credit bureaus, see How to "Freeze" Your Credit Files (CIS 10), on the Consumer Information page of the California Office of Privacy Protection Web site at www.privacy.ca.gov. You may also call (866) 785-9663 and ask to have a copy mailed to you.





# RACHEL CHAVEZ

Chief, California Arbitration Certification Program

With more than 1.7 million new vehicles sold each year in California, defective vehicles may be part of the mix. If you think you've got one of them, DCA's Arbitration Certification Program (ACP) can help you navigate through the process of getting your issues resolved.

Arbitration is a dispute resolution process which uses neutral arbitrators to help resolve vehicle warranty disputes between manufacturers and consumers. ACP provides oversight of these neutral arbitration programs to make sure they provide fair and fast resolution of warranty disputes. ACP also works closely with participating vehicle manufacturers to ensure they comply with California laws and regulations concerning the warranty law. The warranty law covers new and used vehicles that come with the manufacturer's original express written warranty.

ACP Chief Rachel Chavez answers a few important questions about vehicle warranty arbitration programs that help new motor vehicle owners and lessees. Chavez has been ACP's Chief for six years.

#### Q: Why are arbitration programs important?

**Chavez:** An arbitration program is a free and informal avenue for resolving disputes regarding warranty problems with new and used vehicles. In most cases, disputes that go through our arbitration programs are resolved faster than other methods, such as court cases. We help resolve cases often within 40 days of filing a claim.

# Q: Do all auto manufacturers have state-certified programs?

**Chavez:** No, they don't. Consumers who do purchase or lease new vehicles from manufacturers with certified programs can feel secure in the knowledge they're participating in a process that was carefully reviewed by our staff. We put each arbitration program under a microscope to ensure it is in substantial compliance with California laws and regulations.

# Q: What's so special about state-certified arbitration programs?

**Chavez:** I think the most important aspect in the work we do is the assurance that we work hard to make sure the arbitrators are impartial. The law requires arbitrators to be insulated from possible influences by the manufacturer. This is vital to achieving a fair outcome.

# Q: What about decisions rendered by arbitrators? Are they final?

**Chavez:** Actually, that's up to the consumer. If the consumer accepts the decision of the arbitrator, then the manufacturer is bound by that decision. However, if the consumer rejects the decision, then he or she is free to pursue other courses of action. This could include hiring an attorney to resolve the issue in court.

For more information on DCA's Arbitration Certification Program, please visit www.dca.ca.gov/acp.

## BUREAU OF AUTOMOTIVE REPAIR HELPS PUT BRAKES ON

# ILLEGAL STREET RACING



The Bureau of Automotive Repair (BAR) will play a key role in helping law enforcement officials statewide step up their efforts to curb illegal street racing.

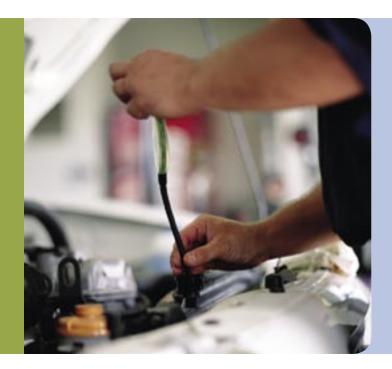
California's Office of Traffic Safety (OTS) recently received \$5 million in federal grants to take its "Drag-Net" program statewide, after a successful effort in the San Diego area. The statewide program will be a team effort by OTS, BAR, the California Highway Patrol, and local law enforcement agencies.

BAR representatives will provide training and technical assistance to law enforcement agencies across California to help them identify illegal modifications typically made to automobiles known as street racers, or illegal drag racers. Illegal modifications may include window tinting, unapproved engine modifications, altered exhaust systems, and the removal or disabling of emissions control components such as catalytic converters.

"Street racing kills, and it's not just the racers who die," said Charlene Zettel, Director of the California Department of Consumer Affairs. "The Department and the Bureau of Automotive Repair are honored to be part of this life-saving program."

The new statewide effort was announced in August at the headquarters of Java City in Sacramento, a few dozen feet away from the site where Java City employee Kim Wheeler was killed when an alleged street racer hit her car as she was leaving work.

Sunne Wright McPeak, Secretary of the Business, Transportation and Housing Agency, which includes the Office of Traffic Safety, (above left) announces the expanded "Drag-Net" program as law enforcement shows its support. Rich Mundy, BAR Deputy Chief for Field Operations and Enforcement (above, right), explains illegal modifications on street-racing demonstration and training vehicles prepared by BAR.



# Choosing an Automotive Repair Shop

TIPS FROM



Choosing a reputable and quality automotive repair shop can sometimes be just as daunting as buying a new car. However, it doesn't have to be. The Bureau of Automotive Repair (BAR) has some tips to help consumers take the guesswork out of choosing a quality automotive repair shop.

# READ AND UNDERSTAND YOUR OWNER'S MANUAL:

One of the things you can do before taking your vehicle in for servicing is read your owner's manual. This handy little manual provides important information about your car and its many functions. Following the recommended intervals for oil changes and other maintenance services in the manual can help keep your vehicle in good condition and even minimize major repairs. You should keep the owner's manual in your glove compartment and refer to it before taking your car to a repair shop.

# GET REFERENCES FROM FRIENDS AND ASSOCIATES:

One of the best ways to select a repair shop is through word-of-mouth recommendations. Find out where

friends and associates go and the type of service they receive. Consumer organizations may be able to advise you regarding the track record of a particular repair shop. The Department of Consumer Affairs' Bureau of Automotive Repair (DCA/BAR), upon written request, can provide information regarding a shop's license status and disciplinary actions against it. Information is also available on the BAR Web site at www.autorepair.ca.gov. If you can, it's a good idea to test the repair shop with a minor maintenance job, such as an oil change.

# WHAT TO LOOK FOR WHEN CHOOSING A REPAIR SHOP:

Make sure that the facility is well maintained and has neat, well-organized service bays and modern equipment. Check to see that policies regarding labor rates, guarantees, and methods of payment are clearly posted and/or printed on invoices and are easy to understand. Talk to the shop representatives. Do they specialize in the make and model of your vehicle? Are they courteous and helpful? Do they listen to your questions and are they able to answer them? Are they qualified to do the job?

# Welcome to Our Web Site

http://www.dca.ca.gov



How many times have you gone onto a State agency's Web site only to discover that the information you're looking for is hard to find or is written in bureaucratese?

You just want to make an appointment or file a complaint or talk to a live person. Instead, you're faced with layers of pages or a series of acronyms that only someone who understands the workings of State government can interpret.

True to its mission to promote and protect the interests of California consumers, DCA's Web site contains information to help you make smart choices and

solve problems in plain English and other languages so consumers can easily find what they are looking for.

All of the pertinent commands are written on the top left-hand corner of the DCA Home Page. Each command announces what's contained within. Follow the headings on the left-hand side of the page and discover these links that require no further interpretation: About DCA, Consumer Information, Consumer Smart Kids, Director's Message, DCA Reports, File a Complaint, Jobs at DCA, Licensee Information, License and Complaint History, One-Stop Search for Documents, Press Releases, Publications, and What's New.

As you continue along the left-hand side of the page, a separate category of information is available to assist you to find Helpful Consumer Sites. Under this heading, you can click on an assortment of links that connect you to DCA Boards/Bureaus, Consumer Help, State Government, and Federal Government.

### **Difficulty Accessing Material**

Just below the Department's address, phone numbers, and e-mail link, you will see a familiar logo that is associated with persons with disabilities. Click on this logo to be advised that the Department of Consumer Affairs will work with you to make any information on its Web site accessible if you are a person with a disability. A toll-free phone number, address, e-mail address and TTY phone number is provided for you.

At the top of DCA's Home Page, more towards the center, just under our mission statement, you'll find the latest information about current topics of general interest. Currently, the Bureau of Automotive Repair's Breathe Easier Public Awareness Campaign is featured. Next to it, you'll find an Open Letter Regarding Acupuncture Board Sunset.

Click on the <u>Find Web Sites by Profession</u> selection box and you'll open a drop-down menu that gives you multiple options for locating information about any number of professions including those we license and those we don't.

Just below the selection box, the Department has placed a series of artwork and links to more in-depth information. These links (left to right) include:

#### **Complaints/Comments**

This site is written in both Spanish and English. You have the choice of filing a complaint against a professional person or business or a Bureau, Division, Board, Committee, or Commission within DCA. You're given the option of using an online complaint form or obtaining one that you can print, fill out, and mail to us.

#### License and Complaint History

This page assists you to look up a company or an individual who has a license issued by the Department of Consumer Affairs.

#### One Stop Search for Documents

DCA bureaus, divisions, boards, committees, and commission produce pamphlets, brochures, booklets, and other publications that are informative and educational. Most are directly available online and are usually free of charge. Click on this address www.dca.ca.gov/forms/index.htm to see the wide variety of publications at your disposal.

#### **Consumer Information Center**

This is one of the main information resources for California consumers. If consumers have problems in the marketplace, a toll-free phone number is available: 1-800-952-5210. A knowledgeable employee in the DCA Consumer Information Center (CIC) will answer your call.

Employees in CIC assist consumers in locating the governmental entity that will help them resolve their particular problem or concern. Our employees respond to questions about the licensure process, verify if a person is licensed, and provide consumers with copies of relevant publications.

The Consumer Information Center offers a toll-free number for persons who are hearing impaired, 1-800-326-2297, and provides telephone translation services for 144 languages.

#### Online Professional Licensing

This site contains information you'll need to apply for licensure, check the status of the licenses of licensed professionals, and obtain information about the California requirements for obtaining permits and licenses. Licensees can also renew their licenses, request non-photographic duplicate licenses, and make address changes on this Web site.

### Bureau of Automotive Repair

The Bureau of Automotive Repair (BAR) registers and regulates approximately 41,000 California automobile repair facilities, and licenses smog check, lamp, and brake inspection stations.

BAR's Web site contains a variety of consumer-protection articles, including the Breathe Easier Public Awareness Campaign that is designed to promote understanding about the negative effects of vehicle-produced air pollution. It's also designed to increase participation in the Consumer Assistance Program that will pay motorists to voluntarily retire their polluting vehicles, or provide assistance toward the repair of their vehicle to pass a Smog Check inspection.

#### **Product Recalls**

Six federal agencies with vastly different jurisdictions have joined together to create www.recalls.gov, a single location for U.S. Government recall information. Through this Web site, consumers have an opportunity to inquire about consumer products, motor vehicles, boats, food, medicine, cosmetics, and environmental products.

#### Computer Quiz for Teens

LifeSmarts is a fun program, run by the National Consumers League, which encourages high school students to learn about the consumer issues they face today and the new challenges that are right around the corner. Directions are provided on how to register and participate in the online computer quiz.

#### (California) Office of Privacy Protection

Checking your credit report one time per year is a good way to detect signs of identity theft. This site gives you three options for obtaining a free credit report:

- 1. A toll-free phone number: (1-877-322-8228),
- 2. A Web site: www.annualcreditreport.com, or
- 3. By mailing a standard order form to the credit agency.

This Web site is filled with consumer information (in multiple languages) about identity theft, online privacy,

financial privacy, Social Security numbers, health privacy, California privacy legislation, privacy laws, privacy site links, a response form and information "about us."

#### National Do Not Call Registry

Click on this site and you're given an opportunity to avoid receiving telemarketing calls to your home for a period of five (5) years. This site gives you the direct link to this registry.

#### Investigate Before You Invest

The Department of Corporations, established in 1913, is California's investment and financing authority. The Department of Corporations and DCA have joined forces to expand on the information they provide to consumers. The toll-free phone number for the Department of Corporations is listed for your information: 1-866-275-2677. This Web site gives links to important resources to help you investigate before you invest your money.

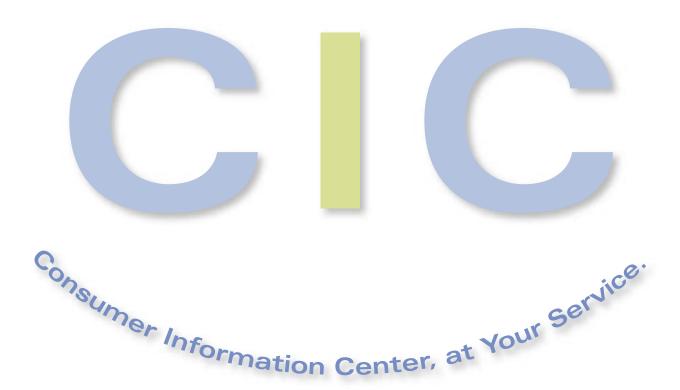
#### Flex Your Power Energy Savings

California's energy efficiency marketing and outreach campaign continues to delight us with energy-saving tools and information for residents, commercial and small businesses, industry, local governments, schools, and agriculture. "Hot Topics" in energy efficiency are featured, along with quick and easy energy saving tips and e-wire bulletins.

#### Sign Up for Consumer Updates

Fill out a form to receive e-mail updates or to remove your e-mail address from the consumer update list.

If you're thinking that we left something out, you'll soon realize that DCA has covered even more topics of interest for consumers. A window appears on the Home Page and changes momentarily to flash the California AMBER ALERT, the Identity Theft Summit... but wait, if we tell you all about it, there won't be any surprises. You'll just have to visit http://www.dca.ca.gov/ and find out for yourself!



The Consumer Information Center (CIC) is the voice of the Department of Consumer Affairs (DCA) and serves as the first point of contact for consumers in California. CIC staff also answers inquiries from consumer groups, licensees, professional organizations, and other government agencies.

Consumer representatives at CIC's toll-free telephone line provide assistance with marketplace problems and will help callers find the appropriate government agencies if the matter is not handled by one of DCA's bureaus, divisions, boards, committees and commission. CIC representatives can also verify licensure of Department-regulated professions, provide complaint forms, and offer consumer publications.

DCA licenses or registers more than two million people in more than two hundred professions, and CIC staff can answer general questions about license applications and renewals.

You can reach us by dialing 1-800-952-5210 or through our Web Site at <a href="https://www.dca.ca.gov/cic.">www.dca.ca.gov/cic.</a>



# CONNECTION CONNECTION

The California State Department of Consumer Affairs (DCA) is excited about the completion of our first online magazine, the Consumer Connection.

DCA is one of the leading consumer protection agencies in the world, and one of the most important jobs we do is to empower people through information. The Connection is one of the many ways our Department will continue to communicate our work, as well as passing on useful information to the consumers of California.

Check us out at <a href="http://www.dca.ca.gov/pubs/consumer connection.htm">http://www.dca.ca.gov/pubs/consumer connection.htm</a>



